

Even the greatest sacrifices, which at the beginning may be involved, will be offset later by more than equivalent gain.

The expense is as nothing compared to the advantages to be achieved. The establishment of our merchant marine involves, in a large measure, our continued industrial progress and the extension of our commercial triumphs. I am satisfied the judgment of the country favors the policy of aid to our merchant marine, which will broaden our commerce and markets, and upbuild our sea-carrying capacity for the products of agriculture and manufactures; which, with the increasing foreign trade, means more work and wages to our countrymen as well as a safeguard to American interests in every part of the world.

#### STIFFLING TRUSTS

Which Kill Competition, Limit Production and Arbitrarily Determine Price.

Combinations of capital organized into trusts to control the conditions of trade among our citizens, to stifle competition, limit production and determine the prices of products used and consumed by the people, are justly provoking public discussion, and should early claim the attention of the Congress.

The industrial commission, created by the act of the Congress of June 15, 1898, has been engaged in the study of the disputed questions involved in the subject of combinations in restraint of trade and competition. They have not yet completed their investigation of this subject, and the conclusions to which they have arrived at which they may arrive are undetermined.

The subject is one giving rise to many divergent views as to the nature and variety of cause and extent of injury to the public which may result from large combinations concentrating more or less numerous enterprises and establishments, which previously to the formation of the combination were carried on separately.

It is universally conceded that combinations which engross or control the market of any particular kind of merchandise or commodity necessary to the general community, by suppressing natural and ordinary competition, and by raising prices are unduly enhanced to the general consumer, are obnoxious, not only to the common law but also to the public welfare. There must be a remedy for the evils involved in such organizations.

#### Monopolies Condemned.

If the present law can be extended more certainly to control or check these monopolies or trusts, it should be done without delay. Whatever power the Congress has to regulate interstate commerce, it is its duty to use it to prevent the establishment of trusts which are so obnoxious to the public and so dangerous to the general welfare.

President Harrison in his annual message of December 3, 1898, says: "Earnest attention should be given by Congress to the question of trusts, the question how far the restraint of these combinations of capital commonly called 'trusts' is matter of federal jurisdiction. When organized, as they often are, to crush small business, to monopolize the production or sale of an article of commerce and general necessity they are dangerous and should be made the subject of prohibitory and even penal legislation."

An act to protect trade and commerce against unlawful restraints and monopolies was passed by Congress on the 2nd of July, 1890. The provisions of this statute are comprehensive and stringent. It declares every contract or combination, in the form of a trust or otherwise, or conspiracy in the restraint of trade or commerce among the several states, or with foreign nations, or to monopolize any part of the trade or commerce among the several states, or with foreign nations, to be unlawful. It denounces as a criminal every person who makes any such contract or engages in any such combination or conspiracy, and provides a punishment by fine or imprisonment, or both, at the discretion of the court of the United States having jurisdiction of the act, and makes it the duty of the several United States district attorneys, under the direct authority of the attorney general, to institute proceedings in equity. It further confers upon any person who shall be injured in his business or property by any other person or corporation by reason of the restraint of trade or commerce among the several states, or with foreign nations, or to monopolize any part of the trade or commerce among the several states, or with foreign nations, the power to sue therefor in any circuit court of the United States without respect to the amount in controversy, and to recover three-fold the damages by him sustained by reason of the suit, including reasonable attorney fees. It will be perceived that the act is aimed at every kind of combination in the nature of a trust or monopoly in restraint of interstate or international commerce.

The prosecution by the United States of offenses under the act of 1890 has been frequently resorted to in the federal courts, and notable efforts in the enforcement of the law have been made, such as the Trans-Missouri Freight Association and the Joint Traffic Association, have been successfully opposed and suppressed.

President Cleveland in his annual message of December 7, 1898—more than six years subsequent to the enactment of this law—after stating the evils of these trust combinations, says:

"Though Congress has attempted to deal with this matter by legislation, the laws passed for that purpose thus far have proved ineffective, not because of any lack of disposition or attempt to enforce them, but simply because the trusts themselves have been so cleverly organized that they have been able to evade the law. If the insufficiencies of existing laws can be remedied by further legislation, it should be done. The fact must be recognized, however, that the remedy by legislation on this subject may fall short of its purpose because of inherent obstacles, and also because of the complex character of our governmental system, which makes it difficult for any authority to exercise within its sphere, has carefully limited that sphere by metes and bounds which cannot be transgressed. The decision of our highest court on this precise question renders it quite doubtful whether the evils of trusts and monopolies can be adequately treated through federal action, unless they seek directly and purposely to include in their objects transportation facilities, or the interstate or foreign commerce, or the commerce between the United States and foreign countries."

"It does not follow, however, that this is the limit of the remedy that may be applied. It is possible that it may be found that federal authority is not broad enough to fully reach the case, there can be no doubt of the power of the several states to act effectively in the premises, and there should be no reason to doubt their willingness to judiciously exercise such power."

The state legislation to which President Cleveland looked for relief from the evils of trusts has failed to accomplish fully the purpose intended, probably due to a great extent to the fact that different states take different views as to the proper way to discriminate between evil and injurious combinations and those which are beneficial and necessary to the business prosperity of the country. The great diversity of treatment in different states arising from this cause and the impossibility of uniformity of legislation upon this subject in the several states is much to be desired. It is to be hoped that such uniformity founded in a wise and just discrimination between what is injurious and what is useful and necessary in business operations may be obtained and that means may be found for the Congress within

the limitations of its constitutional power so to supplement an effective code of state legislation as to make a complete system of laws throughout the United States adequate to compel a complete observance of the functions to which it has referred.

The whole question is so important and far-reaching that I am sure no part of it will be lightly considered, but earnest place of the subject in the deliberations of the Congress, resulting in wise and judicious action.

#### OUR FOREIGN RELATIONS

Are in Good Shape—Instructions in South America—The Isthmian Canal Projects.

A review of our relations with foreign states is presented with much recommendations as are deemed appropriate. The long pending boundary dispute between the Argentine republic and Chile was settled in March last by the award of an arbitral commission on which the United States minister at Buenos Ayres served as umpire.

Progress was made toward the conclusion of a convention of extradition with the Argentine republic. Having been advised and consented to by the United States senate and ratified by Argentina, it only awaits the adjustment of some slight changes in the text before it is signed.

In my last annual message I adverted to the claim of the Austro-Hungarian government for indemnity for the killing of certain Austrian and Hungarian subjects by the authorities of the state of Pennsylvania at Latimer, while suppressing an unlawful tumult of miners, September 10, 1897. In view of the verdict of acquittal rendered by the court before which the sheriff and his deputies were tried for murder and following the established doctrine that the government may not be held accountable for injuries suffered by individuals at the hands of the public authorities while acting in the line of duty in suppressing disturbances in the public peace, this government after due consideration of the claim advanced by the Austro-Hungarian government, was constrained to decline liability to indemnify the sufferers.

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ed. Controversy arose touching the validity of the original payment of the debt to the de facto government of the territory. An arrangement was effected in April, 1898, by which the United States and the foreign secretary of Nicaragua whereby the amounts of the duplicate payments were deposited with the British consul, pending an adjustment of the matter by direct action between the governments of the United States and Nicaragua. The controversy is still unsettled.

The contract of the Maritime Canal Company, of Nicaragua, with the government of the United States, on the 10th of October, on the ground of non-fulfillment within the ten years term stipulated in the contract. The Maritime Canal Company has lodged a protest against the American claims to rights in the premises which appear worthy of consideration. This government expects that Nicaragua will afford the protestants a full and fair hearing upon the subject of the canal.

The Nicaragua canal commission, which had been engaged upon the work of examination and survey for a ship canal across Nicaragua, having completed its work and made a report, was dissolved on May 31, and on June 10 a new commission, known as the Isthmian canal commission, was organized under the terms of the act approved March 3, 1899, for the purpose of examining the route of the canal, with a view to determining the most practicable and feasible route for a ship canal across that isthmus, with its probable cost and other essential details.

This commission, under the presidency of Rear Admiral John G. Walker, U. S. N., (retired), entered promptly upon the work intrusted to it, and is now carrying on examinations of Nicaragua, Panama and the Isthmus of Panama, and in Darien, from the Atlantic to the Bay of Panama, on the Pacific side. Good progress has been made, but no complete investigation is called for, which will require much labor and considerable time for its accomplishment. The work will be prosecuted as expeditiously as possible, and a report made at the earliest practicable date.

The great importance of this work cannot be too often or too strongly pressed upon the attention of the Congress. In my message of a year ago I expressed my belief that the Isthmian canal, which would link the two great oceans, to which I again invite your consideration. The reasons then presented for early action are even stronger now.

As I have been invited by Belgium to participate in a congress, held at Brussels, to revise the provisions of the general act of July 2, 1890, for the repression of the African slave trade, to which the United States has signed and to which this government preferred not to be represented by a plenipotentiary, but reserved the right of accession to the result. Notable changes were made, those especially concerning the new provisions of the law which increased restriction of the deleterious trade in spirituous liquors with the native tribes, which this government has from the outset vigorously advocated. The amended general act will be signed by Belgium with a view to its advice and consent.

Troubles in Bolivia. Early in the year the peace of Bolivia was disturbed by a successful insurrection. The United States minister remained at his post, attending to the American interests in that quarter, and using besides his good offices for the protection of the interests of British subjects in the absence of their national representative. On the 2nd of July, 1899, the new government of Bolivia was signed and the United States minister was directed to enter into relations therewith.

General Pando was elected president of Bolivia on October 25. The new government of Bolivia has been instructed to receive all permissible friendly endeavors to induce the government of Bolivia to amend its marriage laws so as to give legal status to the non-Catholic and civil marriages of all nationalities and to give legal status to the non-Catholic and civil marriages of all nationalities and to give legal status to the non-Catholic and civil marriages of all nationalities.

The extension of the area open to international foreign settlement in the province of Nanking, Taing-Tao (Kiao Chao) and Ta-Lien-Wan to foreign trade and settlement will doubtless afford American enterprise additional facilities and new fields of activity which it will be slow to take advantage of.

In my message to Congress of December 5, 1898, I urged that the recommendation which had been made to the speaker of the house to create a joint commission to study the commercial and industrial conditions in the Chinese empire and report as to the opportunities for American trade and the raw products and manufactures of the United States, should receive at your hands the consideration which its importance and the interests of the country demand. The commission has been organized and is now in the field.

I now renew this recommendation, as the importance of the subject has steadily grown since it was first submitted to you, and no time should be lost in its consideration. The resources of this great field for American trade and enterprise.

The death of President Faure in February last, called forth three distinct expressions of sympathy, which were the relations of two republics as closely allied by unbroken historic ties as are the United States and France.

The Paris Exposition. Preparations for the representation of the United States at the world's exposition to be held in Paris next year continue on an elaborate and comprehensive scale, thanks to the generous appropriation of the Congress. The friendly interest the French government has shown in furthering a typical exhibit of American progress.

There has been allotted to the United States a considerable area in the first rank among exhibitors, does not suffice to meet the increasingly urgent demands of our manufacturers. The efforts of the commission, however, and the display of all that most characteristically marks American achievement in the inventive arts, and most adequately shows the excellence of our products.

In this age of keen rivalry among nations for mastery in commerce, the doctrine of evolution and the rule of the survival of the fittest must be as inexorable in the relations of nations as it is in the results they bring about. The place won in the struggle by an industrial people can only be held by an unrelaxed endeavor and constant advance.

The reasons are not far to seek. They lie deep in our national character and lie deep in our national history. In every branch of human endeavor we are abundantly productive are subdued to the artisan's will, and made to yield the largest, most practical, and most beneficial return. The American people will, in the open volume, make lessons of skillfully directed endeavor, unflinching energy, and consummate performance may be read by all on every page of our history.

tion, by recognition of paramount merit in whatever walk of trade and manufacture it may appear, and by orderly classification and attractive presentation is the task of our commission.

The United States government building is approaching completion, and no effort will be spared to make it worthy, in beauty of architectural plan and in the display of its design, to represent our nation. It has been suggested that a permanent building of similar or appropriate design be erected on a convenient site, already given by the municipality, near the exhibition grounds, to serve in commemoration of the part taken by this country in this great enterprise, as an American national institution, for our countrymen resorting to Paris for study.

A number of important international congresses on special topics affecting public interests are proposed to be held in Paris next year in connection with the Exposition. Effort will be made to have the several technical branches of our administration efficiently represented at these conferences, each in its special line, and to bring before the public the results of state representative, particularly at the congresses of public health and of medicine.

Cordial Relations With Germany. Our relations with Germany continue to be most cordial. The increasing intimacy of direct association has been marked during the year by the granting permission in April for the landing on our shores of a cable from Borkum Emden, on the north sea, by way of the Azores, and also by the conclusion of the Atlantic cable project, a convention with the German empire, in all that promises closer relations of intercourse and commerce and a better understanding between two races having so much in common.

The several governments of the empire seem to be in a friendly attitude toward the United States. Germany has accepted the evidence we constantly tender of the care with which their purity is guarded by rigid inspection from the farm, through the slaughterhouse, to the port of shipment. Our system of control over exported food staples invites examination from any quarter and challenges respect by its efficient management.

It is to be hoped that in time the two governments will act in common accord toward the realization of their common purpose to safeguard the public health and to insuring of the purity and wholesomeness of food products imported by either country from the other. Were the Congress to authorize an invitation to Germany, in connection with the pending reciprocity negotiations for the constitution of a joint commission to study the commercial and industrial conditions in the Chinese empire and report as to the opportunities for American trade and the raw products and manufactures of the United States, should receive at your hands the consideration which its importance and the interests of the country demand.

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with the assent of the South African and Orange Free State governments, to exercise the customary good offices of a neutral for the care of British interests in the discharge of their functions. I am happy to say that an abundant opportunity has been afforded to show the impartiality of this government toward both the combatants.

For the fourth time in the present decade a question has arisen as to the government of Italy in regard to the lynching of Italian subjects. The latest of these deplorable events occurred at Tallahassee, Louisiana, whereby five unfortunate Italian origin were taken to jail and hanged.

The authorities of the state and a representative of the Italian embassy having separately investigated the occurrence, with discrepant results, parties to the crime were not discovered, and it not appearing that the state had been able to discover and punish the violators of the law, an independent investigation has been set on foot, through the agency of the United States consul at Tallahassee. The result will enable the executive to treat the question with the government of Italy in a spirit of fairness and justice. A satisfactory solution will doubtless be reached.

Treaty Rights to Foreigners. The recurrence of these distressing manifestations of blind mob fury directed at dependents or natives of a foreign country suggests the action by Congress in the direction of conferring upon the federal courts jurisdiction in this class of international cases, where the ultimate responsibility of the federal government may be involved. In his annual message of December 5, 1891, my predecessor, President Harrison, said:

"It would, I believe, be entirely competent for Congress to make offenses against treaty rights of foreigners domiciled in the United States cognizable in the federal courts. This has not, however, been done, and the federal officers and courts have no power in such cases to intervene in the punishment of their slayers. It seems to me to follow, in this state of the law, that the officers of the state are charged with police and judicial powers in such cases must, in the absence of a remedy, be left to the mercy of the mob. It is the duty of Congress to provide for the punishment of such offenses, and to make the punishment of their slayers. It seems to me to follow, in this state of the law, that the officers of the state are charged with police and judicial powers in such cases must, in the absence of a remedy, be left to the mercy of the mob. It is the duty of Congress to provide for the punishment of such offenses, and to make the punishment of their slayers. 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